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SUPERIOR COURT  
OF GUAM

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CLERK OF COURT

BY: 

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Attorney for the People of Guam

**IN THE SUPERIOR COURT OF GUAM**

THE PEOPLE OF GUAM,

Plaintiff,

vs.

**MARK ANTHONY TORRE, JR.,**

Defendant.

S.C. Criminal Case No.: CF0421-15  
GPD Case No. 15-18142

EX PARTE MOTION TO SHOW CAUSE RE  
VIOLATION OF PRE-TRIAL RELEASE  
CONDITIONS, REVOCATION OF BOND  
AND ARREST OF DEFENDANT

Comes now Chief Prosecutor Phillip J. Tydingco, pursuant to Chapter 40 of 8 G.C.A., make this exparte application to have Defendant Mark Anthony Torre, Jr. show cause why his Pre-Trial Release Conditions and Appearance Property Bond should not be revoked, and the People request that the Defendant be arrested and or immediately brought before the Court pursuant to 8 G.C.A. §40.65 by a peace officer.

Defendant Mark Anthony Torre, Jr. is charged with serious felony crimes including but not limited to Murder. Defendant was initially held on \$5000,000.00 cash bail. Defendant was released on July 15, 2015 under Pretrial Release Conditions that included, *inter alia*, a reduction of the cash bail over the People's objection to a \$165,000.00 appearance or property bond, release to Third Party

ORIGINAL

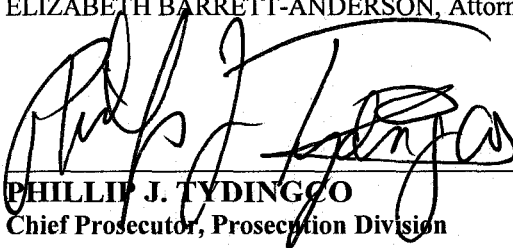
1 Custodians, and house arrest. See Attached Exhibit A (Order of Conditional Release and  
2 Appearance Bond). The house arrest condition expressly provides that "(d)efendant is under house  
3 arrest and may not leave the above residence except for court appearances, to meet with defense  
4 counsel or the Probation Officer, to attend religious services, and for emergency medical treatment."  
5 See Exhibit A.

6 On Sunday, August 9, 2015, at around 12:30 p.m., the Defendant Mark Anthony Torre, Jr.  
7 was seen on the premises of a barber shop located within the Base Exchange on Anderson Air Force  
8 Base by OAG Investigator Bryan Cruz, and none of his third party custodians were present within  
9 the barbershop or immediate area. See filed Declaration of Bryan Cruz.

10 Therefore, based on the forgoing and attachments herein, and any evidence adduced at  
11 hearing, the People move to revoke the Defendant's Pre-trial Release Conditions and Appearance  
12 Bond, as well as move to have him arrested and or brought immediately before this Court by a peace  
13 officer.

14  
15 Dated: 8-10-2015

16  
17 OFFICE OF THE ATTORNEY GENERAL  
ELIZABETH BARRETT-ANDERSON, Attorney General of Guam

18  
19  
20   
21 PHILLIP J. TYDINGCO  
Chief Prosecutor, Prosecution Division

RECEIVED  
JUL 16 2015  
ATTORNEY GENERAL'S OFFICE

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SUPERIOR COURT  
2015 JUL 15 PM 5:20  
CLERK OF COURT

IN THE SUPERIOR COURT OF GUAM

THE PEOPLE OF GUAM,

Plaintiff,

vs.  
MARK ANTHONY TORRE JR.

Defendant(s).

CRIMINAL CASE NO. CF 421-15

ORDER OF CONDITIONAL RELEASE  
AND APPEARANCE BOND

IT IS HEREBY ORDERED that Defendant is released from custody under the following conditions:

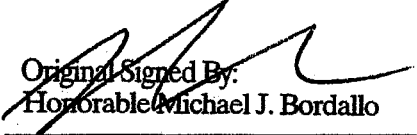
- 1. BAIL: \$ 165000 Cash/Secured/Unsecured/Personal Recognizance (PR) Bond must be posted before Defendant is released, which amount shall be forfeited if Defendant fails to make any court appearance or violates any of the terms of this Release Order.
- 2. APPEARANCE: Defendant is ordered to appear next on July 24, 2015, at 4 pm, and shall appear at all further criminal trial proceedings.
- 3. NO CONTACT/STAY AWAY: Defendant is ordered to stay away from, and have no contact with the victim(s), either in person, through a third party, by telephone or letter, email, text or any electronic devices, including any specified witness or witnesses, at home, 600. Defendant shall stay away from the victim(s), his/her/their residence, dwelling, place of employment, school, day care center, establishment, or any family or social function. Upon becoming aware of the victims' presence, or planned presence, Defendant is ordered to immediately leave the function, or establishment.
- 4. NO THREATS/ASSAULT/HARASSMENT: Defendant is restrained from threatening to commit or committing acts of family violence against, or from harassing, annoying, or molesting the victim(s), or other family or household members, or any person named in the complaint or indictment or in this order.
- 5. THIRD PARTY CUSTODIAN: (1) TERESITA B. TORRE JR. (2) JUAN TORRE is/are appointed Third Party Custodian(s), whose residence is 140 KAYEN TOMAS ANDAE, VEGO 96929 and having agreed to supervise the defendant in accordance with the conditions contained herein; to use every effort to assure the appearance of the defendant at all scheduled hearings before the Court, and to notify the Court immediately in the event the defendant violates any condition of his/her release or disappears. Defendant shall reside with Third Party Custodian(s) and must be accompanied by the Third Party Custodian(s) at all times.  
Signature (1) Teresita B. Torre 777-5193 (C) (2) [Signature] (C) 688-6338 969 7744
- 6. HOUSE ARREST: Defendant is under house arrest and may not leave the above residence except for court appearances, to meet with defense counsel or the Probation Officer, to attend religious services, for emergency medical treatment, employment, or
- 7. CURFEW: Defendant shall obey the following curfew: \_\_\_\_\_
- 8. FIREARMS: Defendant shall not possess any firearms, or other deadly weapons. Any and all firearms or weapons, including identification card(s), must be removed from the Defendant's residence and surrendered to the Probation Office. Probation or the Police are authorized to search Defendant's person, residence, or vehicle for firearms/weapons.

Exhibit A

- 9. **ALCOHOL/DRUGS:** Defendant shall not possess, use, and/or consume any alcoholic beverages and/or illegal controlled substances. Defendant shall submit to random/weekly alcohol and/or drug testing at the request of the Probation Office. Failure to submit to such testing will be considered a violation. Probation or the Police authorized to search Defendant's residence, vehicle, or person for alcoholic beverages and/or illegal controlled substances. Defendant shall not enter any alcohol establishment.
- 10. **CO-DEFENDANTS/FELONS:** Defendant shall have no contact with co-defendant(s) either in person, by telephone, by letter, email, text or any electronic devices, through a third party, or any other method. Defendant shall not associate with any known felons.
- 11. **REPORTING:** Defendant shall report to the Probation Office  in person,  by telephone:  Weekly;  Monthly.
- 12. **TRAVEL:** Defendant must turn in his/her passport to the Probation Office. Defendant cannot leave Guam without permission of this Court.
- 13. **OTHER REQUIREMENTS:** Turn in passport - Lt Torre must vacate compound.
- 14. **DEFENDANT SHALL OBEY ALL FEDERAL AND LOCAL LAWS, AND ABIDE BY ALL REASONABLE TERMS SET OUT BY PROBATION. DEFENDANT SHALL REPORT TO PROBATION OFFICE IN PERSON BEFORE 4:00PM ON THE NEXT WORKDAY FOLLOWING THEIR RELEASE FROM CUSTODY.**

TO ALL PEACE OFFICERS: This Order shall be enforced by all peace officers.

SO ORDERED: July 15, 2015

Original Signed By:   
 Honorable Michael J. Bordallo  
 HONORABLE MICHAEL J. BORDALLO  
 Judge, Superior Court of Guam

All conditions imposed by this Order are effective immediately. These conditions shall remain in effect until the Defendant is either sentenced, acquitted, or the charge is dismissed. Defendant shall acknowledge that he has read, understands, and has signed the conditions specifically ordered. Any violation of paragraphs 3, 4, and 8 shall constitute a misdemeanor punishable by imprisonment of up to one (1) year or a fine of \$1,000.00, or both. 9 GCA § 30.40 (2005). Violation of this order, may subject Defendant to federal charges and punishment. 18 U.S.C.A. §§ 2261(a)-(b), 2261A, 2262(a)-(b). This Order is enforceable in all 50 States, the District of Columbia, Tribal Lands, and U.S. Territories. 18 U.S.C.A. § 2265. It is unlawful for any person subject to an order for protection or convicted of a misdemeanor crime of domestic violence to ship, transport, possess, or receive firearms or ammunition. 18 U.S.C.A. § 922.

I understand the methods and conditions of my release which have been checked above, the penalties and forfeitures applicable in the event I violate any condition or fail to appear as required.  
 I agree to comply fully with each of the obligations imposed on my release and to notify the Court promptly in the event I change the address indicated below.  
 I have received a copy of this order and I understand that a violation of this order is a Contempt of Court and shall cause me to be arrested and be subject to possible further criminal charges and/or revocation of my pre-trial release.

Defendant's Name: Mark A. Torre Jr

Residential Address: 140 Kasea Tomas Andoy

City, State, and Zip Code: 5:30, GU, 96929

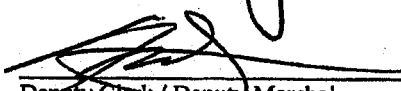
Telephone No.: 969-7744 / 687-0447

15 JUL 15  
DATE

MCCP  
SIGNATURE OF DEFENDANT

Hagåtña, Guam )

Subscribed and sworn and sworn to before me this 15 day of July, 2015.

  
 Deputy Clerk / Deputy Marshal

I do hereby certify that the foregoing is a full true and correct copy of the original on file in the office of the Clerk of the Superior Court of Guam. Dated at Hagåtña, Guam

JUL 15 2015

  
 Faustine B. Chariaurus  
 Deputy Clerk, Superior Court of Guam